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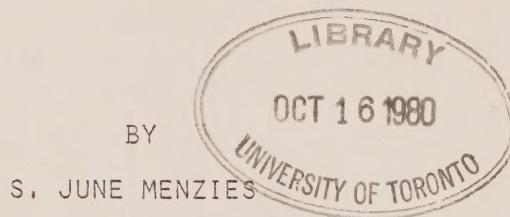
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NEW DIRECTIONS FOR PUBLIC POLICY:  
A POSITION PAPER ON THE ONE-PARENT FAMILY



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The decision to develop a position paper on the One-Parent Family arose from the concern of the Advisory Council on the Status of Women about the social and economic stress of this group of families, 4/5 of whom are headed by a woman. These stresses have been amply demonstrated by various studies in recent years and highlighted by the Royal Commission on the Status of Women and the Special Senate Committee on Poverty in Canada.

ACSW believes it is not enough to reiterate the many recommendations being made to ease the burden of the one-parent family and in this paper, looks beyond such recommendations towards new directions in policy as being essential to assist the one-parent family to become an economically viable family unit.

This position paper suggesting such new directions in public policy is submitted by ACSW to stimulate in Canada a basic re-examination of social, economic, taxation and legal policy concerning families, women in families and the one-parent family.

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## INTRODUCTION

The sole-support family is a permanent, well-defined feature of the Canadian society. Over nine percent of Canadian families fall into this category. The one-parent family may arise through many causes and the head may be either male or female, comfortable or poverty-stricken. The statistical probability of the sole-support family being female-headed and poverty stricken is, however, high.

9.44% of Canadian families are sole-support.

78% of sole-support families are headed by a woman and 45.5% of these families are living below the poverty level.

1973 estimates show 342,000 female parent sole-support families and 58,000 male parent sole-support families. Of these families 59% had children under 18 years of age. 38% of single-parent families with children under 18 receive social assistance.

According to a study of the National Council of Welfare on Children in Poverty in Canada (March 1975):

Among children in two-parent families across Canada, 21.2% were in poverty; among those in male headed single parent families 33.7% were in poverty; among those in female headed single parent families, an incredible 69.1% were in poverty.

Further, like other income estimates, these ignore the presence or absence of income in kind represented by the services of the second parent. If this were taken into account, it would be evident that the relative economic position of male-headed one-parent families is considerably less favourable than it appears.

The biggest single and continuing problem of the sole-support mother is a basic financial insecurity and a subsistence level of living which she has no real hope of improving. Income figures of families for 1974 show families with a male head receiving an average income of \$13,841, with a median income of \$12,588. Families with a female head received an average income during the same year of \$5,910, and a median income of \$4,430. The proportion of families headed by women living below the poverty line in 1967 was 36%; by 1972 it had risen to 45.5%. During the same period, the percentage of male-headed families living below the poverty line decreased from 16% in 1967 to 10.7% in 1972<sup>1</sup>.

Where the sole-support mother has a court award for the maintenance of herself and her children, it is largely unenforceable if the husband wishes to avoid payment. In the United States, a congressional committee discovered that only 19% of fathers were in full compliance with court-ordered child support payments three years after the court order. In Canada, the federal Law Reform Commission estimates that some degree of default with respect to obligations arising under maintenance orders occurs in as many as 75% of all orders. Such a high rate

of default adds to the anxiety and pressures on the sole-support mother and her family. It also results in considerably increased public expenditures for welfare assistance.

When sole-support mothers receive state assistance because they cannot manage by themselves, it is given at a very low level and if they find extra work they do not significantly improve their own economic circumstances because the basic aid is then decreased. The level of assistance and the "work allowance" varies in each jurisdiction across Canada - provincial and municipal. In some places for every dollar they earn, they may lose a dollar of social allowance. Frequently, if they manage to get off welfare, they lose benefits in kind such as legal aid, dental and eye care, emergency aid and drugs that they cannot afford to provide from their own resources. An accident, an illness, another emergency, can find them once again having to resort to social assistance.

Frequently also, if they receive court-awarded maintenance and they obtain work, they are likely to find the maintenance cut back too, because of their "improved economic circumstances". This is in spite of the fact that their care of children may impede their ability to carry on full-time work and they still may be living below the poverty level.

Unlike other economically productive work in the economy, the work of mothers in caring for their dependent children is unpaid. The society accepts this as a mandatory grant and rewards it only with minimum support in crisis circumstances.

One American study estimates the unpaid services performed in a household by a mother who has ever had even one child amounts to a quarter of a million dollars over her lifetime<sup>2</sup>. Another estimates that one child costs a woman ten years of lost labour market activity, and four or more children, a total of eighteen years<sup>3</sup>. Yet, only through paid employment does a person acquire economic independence and personal security.

This is the particular tragedy of the sole-support mother. Society accepts her unpaid labour without acknowledgment. In the two-parent family, there will be some sharing by the spouse both of the grant made to society through her unpaid work and of the future security being built up by the spouse through his paid work. For the sole-support father, the unpaid work required in a family is a burden, too, and explains why the sole-support male-headed family is considerably less well off than the income comparisons would indicate. The one-parent father is not normally faced with the serious financial insecurity and future uncertainty that plagues the one-parent mother. Nonetheless he finds the services usually provided by the mother in the home prohibitively expensive in the open market. He finds that they are also, to a large degree, unobtainable.

In spite of the mandatory gift of their labour for home and child care, sole-support mothers, along with women in general, discover that when they do obtain work, they are not likely to be able to find work paid at a pay level high enough to permit them to maintain a family unless they are professionally or highly technically trained. In spite of all the discussion over the past twenty years, there is increasing job segregation by sex, with women clustered in low-paying positions. More than 62% of all women workers in 1972 were in administrative support, sales and service occupations and that proportion is increasing. Only 17% of all employed women in Canada are in professional or technical occupations, and 76% of these are in teaching and nursing. The average income of a woman employed full-time, full-year, in Canada in 1974 was \$5,300, 55.7% of the average income received by the male employed full-time/full-year (\$9,500). This income gap has increased during the past five years in spite of woman's strong labour force attachment. Labour force statistics indicate that women who return to the labour market at age 35 will continue working for another 26 years.

Women do not build up security for their old age by their work in the home. Moreover, because of their generally low pay, part-time work and/or interruptions in labour force attachment caused by their home care responsibilities, women do not build up security for their old age commensurate with their paid labour market experience.

In spite of the very great emphasis our society puts on paid labour market activity as a prerequisite to personal security, there is a dearth of services available to enable the sole parent with dependent children to enter the labour market. There is inadequate provision of support services such as day care, homemaker, counselling or crisis intervention. The lack of such services to assist the parent in a one-parent family to fulfill a dual role, and the refusal to acknowledge that they are a legitimate cost of maintaining a physically and emotionally healthy family unit adds to the financial, physical and emotional stress of the single parent and her/his family. For the sole-support family headed by a female, low income, employment limitations and inadequate services are all interrelated. Inadequacies in one area compound the inadequacies in the other two.

This brief analysis of the position of the one-parent family is not exhaustive but only illustrative of the burden carried by the one-parent family in Canada. Many changes are needed in economic and social policy, taxation and law to ease that burden.

Set out below for consideration by the Advisory Council on the Status of Women (ACSW) is an analysis of recommended changes in the direction of policy to assist the one-parent family to become an economically viable family unit.

#### PART I - THE ONE-PARENT FAMILY AND THE ECONOMY

There are two aspects to the position of the one-parent family in the economy. The first aspect is

the unpaid productive work involved in maintaining a family - the massive grant demanded by society of a parent whether or not there is a spouse earning an income. The second aspect is the difference in earning power between men and women in the paid labour market - an important factor in the perpetuation of inequality and insecurity for women, and for the one-parent families headed by a woman. When the two aspects are combined, the full economic weakness of the one-parent family is revealed.

Because of the weak position of women in an economy which undervalues both their unpaid work in the home and their paid work in the labour market, the position of the mother alone with dependent children differs economically from that of the father alone with dependent children.

The growing number of Canadian families which are headed by a woman in the labour force constitutes a compelling reason for remedying present wage and employment practices which discriminate against women, and for providing the changed education, retraining, and support services which will enable women to participate more freely and effectively in the labour market. ACSW is concerned with labour legislation, employment policy, and support services that will aid heads of one-parent families, particularly women, to defeat the endemic poverty which is their lot. Nonetheless, the economic position of the one-parent family will not be significantly improved until the household is regarded as an economic entity for purposes of economic and taxation policy. This development would do more for the strength and viability of the one-parent family and for the security of the parent in that family, than any other combination of changes being considered. The nation's children are

frequently called its greatest natural resource but no other natural resource has been so little analyzed in terms of its origin or costs, or so taken for granted. No other natural resource involves so much investment in time and labour; the quality of no other resource is of greater importance to the society. In nurturing this resource, the family unit is compelled to buy everything it needs on the money market, including labour if a parent is absent or otherwise engaged. The economic family unit is essential to the economy, is highly productive itself, provides labour to all other industries and provides a market for all other industries. Nevertheless our economic and taxation policies keep it out of the money economy, ignore its productivity, tax its income without regard to its costs of production or the time and labour involved, and expect the benefit of its product to accrue to the larger society without any recognition or recompense to the original family unit. The consequence of this treatment of the family in a changing society is that the family has evolved as the last great service industry in an otherwise wholly monetized economy. Since the burden of performing labour within this service industry is not given the normal rewards it has become intolerable for a significant proportion of Canadian families, and it can no longer be sustained.

Household tasks comprise about 90% of the non-market work in the economy. Although it is difficult to impute prices for which there is no market equivalent, a number of alternative approaches have been suggested for measuring housewives' contributions<sup>4</sup>:

- 1) valuing the housewives' contributions as equivalent to foregone earnings in the market (opportunity costs);
- 2) summing the results of application of prevailing wage rates to each of the jobs performed by housewives;
- 3) estimating replacement costs of a substitute mother;
- 4) considering the comparative advantage of work in the home and market and hence estimating the value of housewives' time relative to that of wage-earning women.

Discussions about the monetary value of these contributions continue as do discussions of how to incorporate such value into measurements of the GNP and calculations of income for computing social welfare benefits. But the fact of productive contribution is no longer questioned. Economic policy development must take it into consideration.

The failure of policy makers to perceive the economic significance of the household in the economy and of the economic contribution made through child and dependent care prevents women, and the one-parent family, from benefitting from society proportionately to the contribution they are making to it. Where the one-parent head is a woman, the penalty is compounded. Far greater urgency must be given to finding a solution to these issues.

## PART II - SOCIAL SECURITY AND THE ONE-PARENT FAMILY

Much of our social policy is based on the concept of the traditional family, the dependency of the wife, and the family as a social rather than an economic unit. Inherent in these assumptions is the permanency of the marriage, the wife's lack of need for protection apart from her husband, and the incalculable nature of the work done in the home. Another assumption is that it is the paid worker only who supports the economy and its social security and social insurance programs.

There are three aspects to social security and the one-parent family. These are related to (1) the economically essential but unpaid services performed in the household, (2) the disadvantaged position of women in the paid labour market, and (3) the focus of social security being the paid worker.

a) Social Insurance

It takes money, plus labour, plus management to provide the goods and services needed within the family. The labour and management are supplied overwhelmingly by women even when they have full-time jobs away from home. The labour and management are just as essential as the money, and must be supplied even if there is no money. The family unit cannot operate without them and the society cannot replace the family unit. If other institutions had to perform the functions of households, observes economist Kenneth Boulding<sup>5</sup>, society would immediately collapse. It is unjust to consider that the economic contribution made by the paid worker is the only legitimate basis of independent social security. Nonetheless, in 1976 in Canada, no independent economic security is built up by the person who performs the economically necessary but unpaid child/dependent care function in Canada.

The Canada and Quebec Pension Plans form a cornerstone of Canada's social security system, and 90% of the employed persons in Canada contribute to it for their own future security. However, the women who perform the home and child care function or who work with their husbands do not participate directly in the

plan. The theory is that these persons will receive derivative benefits as dependents. They may or they may not. If the marriage ends in separation or divorce they receive nothing, although there is a proposal to make a change to require division of pension rights on divorce. The fact remains that in spite of their unchallenged productive labour, they are not entitled to the same protection for their future security as is enjoyed by paid workers. Nor, of course, are they entitled to unemployment insurance, paid vacations, workers compensation or other fringe benefits they help to provide for paid workers.

Women are expected to sustain this loss in their social security benefits and economic independence while they perform diverse essential economic roles in the economy. They are the only group in society expected to sustain such a magnitude of economic loss. It is harsh indeed to demand this loss in social security from the sole-support mother too.

The application of a philosophy of collective security for the family dependent on an attachment to a paid worker (e.g., the derivative rights under CPP), disguises the position of the woman in the family and attributes to her a degree of security she does not have. It disguises the fact that the major part of the work women do makes no contribution to their economic security, rather actually inhibits it. Too many women, after a lifetime of work on behalf of their families and society, find themselves alone and practically or actually destitute. Their protection is dependent on good will and good luck, not on good law or good social policy, or on their own economic contribution over the years.

There are two equities involved. One is within the marriage, between partners. The other is within the economy, between paid and unpaid workers. Collective security disguises the one and denies the other.

b) Income Support/Supplementation

Income support and/or supplementation together with community support programs and social insurance programs provide the basic social security structure in Canada. The federal-provincial review of social security which has been conducted over the past three years has demonstrated that regional economic disparity and divided jurisdiction will prevent any uniform solutions to the problems of income support and supplementation of incomes across Canada. Nonetheless, they have also demonstrated that the one-parent family with dependent children remains a basic target group for such supports because of its almost universal financial vulnerability.

It is evident both from the Working Paper on Social Security in Canada, issued by the Federal Minister of Welfare in April 1973, and from the Background Paper to the Conference of Federal/Provincial Ministers of Welfare in February 1975, that considerable thought has been devoted to the removal of disincentive to employment. There is no evidence of the recognition that the social value of outside employment may differ as applied to the parent who is caring directly for children and the parent who is not. Planners must take care not to introduce disincentive to child caring while they are providing incentive to employment. This is particularly important for the one-parent family. The provision of a guaranteed annual income will ease the

immediate problem of uncertainty of income but it will not remedy the basic economic injustice caused by the refusal to recognize that child and dependent care performed within the home is "work".

The following principles are suggested as changes necessary to provide independent security for women and thereby to improve the position of the one-parent family:

1. The proper focus in establishing social security is the individual, not the family unit.
2. Women, engaged in child/dependent care, have a right to full, independent economic equality and social security because they have earned it and are entitled to it even though they are not permanently attached to the paid labour force, or their attachment is interrupted.
3. The difference in earning power between men and women in the paid labour market is an important factor in the perpetuation of inequality and insecurity for women. Even if income maintenance problems are solved, we would still have to restructure the labour market in the interests of economic equality.

#### PART III - THE ONE-PARENT FAMILY AND TAXATION

There are two aspects to the position of the one-parent family in taxation. These are (1) the concept of the conventional family with two parents, only one of whom is in the labour force, and (2) the failure to distinguish between the real dependent child and the economically productive but "dependent" wife.

Economic and taxation policy largely ignores the household and the labour performed within it although both are taken for granted. Again the basic problem is easily identified but solutions are not evident. The problem lies in the non-market nature of the work done within the household, particularly in child and dependent care. Solutions will evolve only as more is known about the relationship between this work and the market economy. Several ways of quantifying this work are noted above on page 9. For taxation purposes, Professor J.R. London in Tax and the Family, a background paper for the Law Reform Commission of Canada is of the opinion that

Ideally, the solution would be for the government to recognize the provision of household services by housewives as contributions to the Gross National Product; as being valuable; and as being the contribution of these persons to the welfare of the country which in turn deserves consideration by way of remuneration.... In terms of the perfection of the income tax system, it would be an ideal solution in that such transfer payments would presumably be taxable and therefore would be recognized as part of the income of the tax units....

It is a significant development that within the past few years the fact of the productive contribution of the household to the economy is not only admitted but is no longer questioned. But this recognition is so new that adjustments have not yet been made in economic, social or taxation policy to allow for it. Indeed, the recognition is so new that there is not yet enough policy research to permit the incorporating of this contribution into the system. Taxation authorities, no less than other policy makers, have a compelling responsibility to concentrate directly on ways to quantify, recognize and reward the productive contribution being made to the economy through home/child care. As a group, the one-parent family, more than any other, would stand to gain by a successful resolution of this problem.

Until such a time, a significant easing of the tax burden of the one-parent family would result from recognizing the contribution of time and care provided by the person caring for dependents in her own home and bringing it into the tax system. Under the present system, exemptions for child care are provided for the mother in the paid labour force and the one-parent family with an employed head. Many heads of one-parent families are unable to take advantage of the exemptions due to many circumstances, and others must spend much more than they are able to claim as exemptions in order to continue working. The Royal Commission on the Status of Women observed that

...any compensation for the cost of caring for a dependent should not be contingent on the mother being in the labour force, because these services have to be provided whether the mother works in the home or outside. For the mother who works at home, this cost might be valued in terms of the cash income she foregoes by looking after the children at home instead of taking paid employment. We believe that the State should give adequate compensation for the cost of true dependents, whether that cost is measured in cash outlays or in time devoted to care and supervision, or both. This compensation should be given to all families that support such dependents whether the mother stays at home or works outside<sup>6</sup>.

The solution it suggests is substantial taxable cash allowances for dependent children to replace the present system of family allowances and income tax exemptions for children under 16. Such allowances would enable a mother to make a free choice about looking after her children in her own home, or seeking child care while she enters the paid labour market. Presumably, since the allowance was to be for providing care and service to children, it would also entitle the mother in the home to participate in the Canada Pension Plan and other fringe benefits offered to other paid workers.

These recommendations for the economic recognition of the role of the woman in home and child care through the taxation system seem to be basic considerations in creating economic equality and independence for women and economic equity for the one-parent family.

Equity for the one-parent family in taxation, and equity for women have to be accomplished together. The principles behind the taxation of incomes and of families must be reconsidered to accomplish this. Equity in taxation for women cannot be accomplished by dealing with the family unit if we leave untouched the fundamental inequities that exist towards the wife within the family unit. Equity will have to be achieved by dealing with the wife as an individual and taking into account the economic role she plays in the family and in society and how that role affects her earning capacity in the labour market, and her security for the future. Equity in taxation for families will have to be accomplished by dealing with the family as an economic entity, taking into account the role it plays in economic development, exempting its basic costs of production from taxation and rewarding the time and labour spent in dependent care.

The acceptance of the following principles in taxation would help ease the burden of the one-parent family:

- a. The treatment of the household as an economic unit for taxation purposes. This implies that deductions be allowed in the amount of its non-discretionary expenses and that there be no taxation below the poverty line.
- b. The right of everyone to a recognition of her or his economic contributions to society whether or not the labour is paid in the labour market or unpaid in the home/dependent care sector.
- c. The right of everyone to an equal opportunity in employment without discrimination.

A woman's marital status should be irrelevant to her need to labour and have it count and her need for personal economic independence. Women will be able to achieve this personal economic independence only when their work in home and dependent care is brought into the money economy. Again, the family that will benefit most is the one-parent family.

#### PART IV - THE ONE-PARENT FAMILY AND FAMILY LAW

Family property law, social policy and taxation are all interrelated. In each area the achievement of equity between men and women, and one-and-two-parent families is interdependent and in each the common denominator appears to be society's definition of work. Paid labour is work and entitles the labourer to economic and political power and independent security. Unpaid labour is not work and entitles the labourer to none of these benefits.

This is the chief aspect of family property law as well. The female head of a one-parent family may find her rights in the marriage property non-existent and herself excluded because she made no financial contribution to the former partnership. The second aspect related to this is the family law presumption of the dependency of the wife.

A basic principle in Canadian family law should be equal partnership in marriage. In June 1975, ACSW issued a "Statement of the Recognition and Protection of the Rights of Men and Women in Marriage". This statement

is based on principles espoused by the United Nations and the Canadian government concerning the dignity and worth of persons, the equal rights of men and women during marriage and at its dissolution, and the position of the family in a society of free persons and free institutions. It declares that laws relating to men and women in marriage should incorporate the principles of equality between spouses, and marriage as an inter-dependent partnership of shared responsibilities.

At the dissolution of marriage, the principle of equal rights and responsibilities would imply that procedures and grounds for dissolution of marriage should apply equally to both spouses; assets acquired during marriage should be shared on an equitable basis; appropriate provisions should be made for the social security and pension coverage of the work contributed by the homemaker; and decisions relating to the custody of children should be taken in consideration of their best interests. The people who are most affected by the dissolution of a marriage is the one-parent family with dependent children. The manner of the dissolution of a marriage is vital to the lifestyle of the one-parent family.

Present Canadian laws are in direct conflict with these principles. Those who suffer most from the current inadequacies are female-headed one-parent families.

a) Division of Marital Property on Divorce:

Serious inequities exist in present law and practice concerning the sharing of matrimonial property on divorce.

Recent court decisions, particularly the well-known Murdoch case, have brought these inequities to the attention of the public. Several provincial law reform commissions as well as the Law Reform Commission of Canada have issued working papers and recommendations calling for reform and setting out alternatives. The alternatives presented are summarized in ACSW background paper "Background Notes on Matrimonial Property Rights" (December 1974).

The law and practice affecting the division of property at the time of divorce or separation has clear relevance to the one-parent family which comes into existence by this means. Existing property laws should be amended to conform to the principle of equal partnership in marriage, and there should be close federal/provincial consultation to prevent conflict of laws amongst the provinces in property division and related areas.

b) Maintenance Criteria:

There are two broad questions relating to maintenance. One is enforcement of orders made. The other is the set of circumstances under which one spouse should be required to maintain the other. As the concept of equality between men and women in marriage becomes part of marriage law, maintenance obligations between spouses will be affected and will have to be reconsidered. Currently provincial maintenance laws are based on the traditional concept of female dependency under which the husband is responsible for the maintenance of his wife and children. On the other hand, the Federal Divorce Act (1968) introduced the concept of equal responsibility between spouses for maintenance on divorce. But the Act did not provide a set of principles on which to establish maintenance obligations between spouses.

The Law Reform Commission of Canada has issued a working paper entitled "Maintenance on Divorce" in which it concludes that:

The provision by Parliament of some more precise focus with respect to the nature and concept of interspousal maintenance is essential if the provinces are to be able to get on with the task of law reform in related areas (such as alimony laws dealing with deserted wives) without either the possibility of being subsequently faced with federal laws that are at odds with their reforms, or being left to proceed without knowing Parliament's view on the very foundation of family law in Canada.  
(page 15, Working Paper #12)

ACSW is studying this issue. At this time however, it is emphasized that until women are equally represented in the job market and their unpaid work in home and child care carries with it independent security, it will be unfair to deny them some compensation for their job as housewife and mother. Every other type of job has unemployment insurance, social-security benefits and paid vacations. These factors must be kept in mind in setting out the new principles.

c) Maintenance Enforcement:

It is well known that many court orders regulating family matters, and particularly orders for maintenance, go unheeded. It is estimated that some degree of default with respect to obligations arising under maintenance orders occurs in as many as 75% of all orders<sup>7</sup>.

Jurisdiction in maintenance orders is divided between federal and provincial governments. Maintenance on separation or desertion is regulated by provincial law; on divorce, by federal law. But federal or provincial, the failure of the law in this matter is a source of widespread grievance among separated or divorced parents having custody of children. Separated or divorced wives who urge enforcement of orders for maintenance are frequently met with the charge of being revengeful or punitive, but there is anxiety, deprivation and disruption in the one-parent family when maintenance payments due and expected as part of the regular family income are late or do not arrive. It is a matter requiring serious and urgent public attention.

The Law Reform Commission of Canada in a working paper on "The Family Court" (January 1974) recommended that enforcement personnel attached to the proposed unified family court should assume the primary responsibility for ensuring compliance with court orders. ACSW firmly endorsed this proposal in its response to the working paper (June 1974). In Edmonton and Ontario, where experimental projects of this nature are being conducted and the court does its own enforcement without requiring the wife to do so, there has been an encouraging measure of success.

In its response to the Law Reform Commission of Canada's Working Paper on the Family Court, ACSW further proposed, in the interests of effective enforcement of court maintenance awards, that there should be established provincial maintenance award funds out of which court

awards for maintenance would be advanced when due and into which monies collected from the parent responsible would be deposited. ACSW further proposed, as an integral part of the new enforcement machinery, that there should be established through federal/provincial co-operation, a national central registry of court awards for maintenance to simplify and expedite enforcement of such orders across provincial and national boundaries.

For the improved enforcement of maintenance orders, it is recommended:

1. That the courts themselves with the aid of necessary supportive services assume responsibility for collection and enforcement of maintenance orders.
2. That all relevant jurisdictions undertake immediate studies with a view to developing and instituting procedures whereby maintenance will be paid through the court system when due, whether or not it has been received by the courts. (Maintenance Award Fund)
3. That a central registry of court decisions from all jurisdictions in Canada which have regard to maintenance, custody of children of separated or divorced parents be established and maintained by the Government of Canada.

d) Court Structure and Service:

There is urgent need in Canada for structural reforms in the court system to achieve simple proceedings, greater accessibility and to provide a more dignified treatment of families in trouble. In some provinces, as many as five different courts at different levels may be involved in settling matters arising from family disputes. In addition to the duplication of effort, increased expense, confusion and delay for the individual,

the process prevents any one court from viewing the problem as a whole. As a result, courts make decisions that frequently are not in the best interest of parties concerned.

In response to the problem of fragmented jurisdiction on family matters by the courts at various levels, ACSW endorsed without reservation the concept put forward by the Law Reform Commission of Canada for a single unified family court with jurisdiction in all areas of family law, and having available a broad range of support services such as counselling, conciliation, investigation, and enforcement.

#### CONCLUSION

The Advisory Council on the Status of Women is not alone in its concern for the one-parent family. Over the past eight years, the RCSW, the Senate Committee on Poverty, self-help groups of sole-support family heads, national women's organizations, the National Council of Welfare, the Vanier Institute of the Family, the Canadian Council on Social Development, the Law Reform Commission of Canada, the provincial law reform commissions, and federal and provincial welfare ministers have all been carrying on reviews and making recommendations for changes in current and prospective policy that could have a profound effect on the quality of life of the men, women and children in Canada's one-parent families.

ACSW urges early action on the basis of social and legal reviews currently taking place across Canada to relieve the burden of the one-parent family. But, basic to all the reforms being considered must be an analysis of the economically productive unpaid work of mothers and the relationship of that role to the market economy. As long as home and child care, the major economic contribution of women to the economy, is not considered "work", its performance will be detrimental to the independent economic security of women. When a parent is compelled to perform this role without the support of a spouse, the family will be at a serious disadvantage in the society. The economic weakness of the one-parent family and the economic weakness of women in the economy are indivisible.

## PROPOSED PRINCIPLES AND RECOMMENDATIONS

### Principles

1. The proper focus in establishing social security is the individual, not the family unit.
2. Women engaged in child/dependent care have a right to full, independent economic security because they have earned it, even though they are not permanently attached to the paid labour force, or their attachment is interrupted.
3. Every person has a right to a recognition of her or his economic contributions to society whether or not the labour is paid in the labour market or unpaid in the home/dependent care sector.
4. Every person has a right to an equal opportunity in employment without discrimination.

### Recommendations

5. The difference in earning power between men and women in the paid labour market is an important factor in the perpetuation of inequality and insecurity for women. Even if income maintenance problems are solved, the labour market must still be restructured in the interests of economic equality.
6. Substantial taxable cash allowances for dependent children should replace the present system of family allowances and income tax exemptions for children under 16 years of age.

7. For taxation purposes, the household should be treated as an economic unit, meaning that deductions should be allowed in the amount of its non-discretionary expenses.
8. At the dissolution of marriage, the principle of equal rights and responsibilities would imply that procedures and grounds for dissolution of marriage should apply equally to both spouses; assets acquired during marriage should be shared on an equitable basis; appropriate provisions should be made for the social security and pension coverage of the work contributed by the homemaker; and decisions relating to the custody of children should be taken in consideration of their best interests.
9. Existing property laws should be amended to conform to the principle of equal partnership in marriage, such laws to be developed through joint federal/provincial consultation to ensure consistency among the provinces in property division and related areas.
10. Until women are equally represented in the paid labour force and their unpaid work in home and child care carries with it independent security, it is unfair to deny them some compensation for their work as homemakers and mothers.
11. The courts themselves with the aid of necessary supportive services, should assume responsibility for collection and enforcement of maintenance orders.
12. All relevant jurisdictions should undertake immediate studies with a view to developing and instituting procedures whereby maintenance will be paid through the court system when due, whether or not it has been received by the courts (Maintenance Award Fund).

13. A central registry of court decisions from all jurisdictions in Canada which have regard to maintenance custody of children of separated or divorce parents should be established and maintained by the Government of Canada.

ANNEX A

FOOTNOTES

1. Income Distribution by Size in Canada 1972, Statistics Canada 13-207 Annual, August 1974.
2. Gage, Geraldine, "Economic Roles of Wives and Family Economic Development", Journal of Marriage and the Family, February 1975.
3. Waldwyn, Elizabeth, "Changes in the Labour Force Activity of Women", Monthly Labour Review 93, June 1970.
4. Kahane & Cohen, "Economic Perspective on the Role of Women in the American Economy", Journal of Economic Literature, December 1975, page 1263. An analysis of these techniques is being done by Professor Oli Hawrylyshyn of Queen's University.
5. Boulding, Kenneth "The Household as a Achilles Heel", Journal of Consumer Affairs, Volume 6 Number 2 1972.
6. Report of the Royal Commission on the Status of Women, pp. 301-302.
7. The Family Court, Law Reform Commission of Canada, Working Paper #1, pp. 50-51.





